

# **PPM 585**

## **INTERPRETING & OTHER ASSISTED COMMUNICATION SERVICES**

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## **PURPOSE**

**Vocational Rehabilitation (VR)** provides interpreting and other assisted communication services required for qualified **consumers** who are deaf or hard of hearing so they can participate fully in the **vocational rehabilitation (VR) services** provided and achieve their planned **employment outcomes**.

[AUTHORITY: Federal regulations, 34 CFR 361.1; 361.46(a)(2)(i); 361.48; 361.50(a)]

## **POLICIES AND PROCEDURES**

### **585-01. Nature and Scope of Interpreting and Other Assisted Communication Services Provided by VR**

1. As required to meet each qualified consumer's [vocational rehabilitation needs](#), interpreting and other assisted communication services may include:

A. American Sign Language (ASL) interpreting, signed English, cued speech, tactile interpreting, and other signed methods of assisted communication endorsed by [Deaf and Hard of Hearing Services \(DHHS\)](#) for converting spoken communication to sign and sign to spoken communication;

B. oral interpreting for non-signing individuals who are deaf;

C. communication access real-time translation (CART) services, including remote CART services; and

D. video remote interpreting (VRI).

2. Interpreting and other assisted communication services are classified as [personal assistance services](#), and are authorized and paid for as such, as described under the applicable VR [cost classification \(CC\) code](#).

[AUTHORITY: Federal regulations, 34 CFR 361.13(c)(1)((i); 361.48(j) and (n); 361.50a)]

### **585-02. Prohibited Uses of VR Funds**

Unless an exception is approved by the Director of the [Bureau of Rehabilitation Services \(BRS\)](#) in accordance with the exceptions policy described in PPM chapter 452, VR program funds cannot be authorized to any interpreter or other assisted communication services provider for any of the following uses.

## 1. Assisted Communication Needs Not Qualifying for VR Assistance

All personal assistance services, including interpreting and other assisted communication services, are considered supporting services, to be provided only in conjunction with one or more other, non-supporting vocational rehabilitation (VR) services concurrently provided, when assisted communication is required for the consumer to participate in the service in connection with which it is being provided. In order to qualify for payment or reimbursement by Vocational Rehabilitation (VR) through the Coordinating Unit (CU) in accordance with section 585-09 of this chapter, interpreting and other assisted communication services must be required by an applicant or eligible consumer for VR purposes. Consumers with assisted communication needs unrelated to VR program participation and the specific VR services received must be referred to an appropriate interpreting agency or freelance interpreter, and the services paid for with resources other than VR funds.

## 2. Employee Benefits

Because providers of assisted communications services are service providers engaged to serve VR consumers and not employees of VR, BRS, or the State of Indiana, vocational Rehabilitation will not provide employee benefits for assisted communication services providers, including, but not limited to, any form of paid leave (paid holidays, vacation, sick, personal, jury duty, or military leave); unemployment insurance; workers compensation; health, vision, dental, or disability insurance; or life insurance.

## 3. Services Not Rendered

VR will not make payment for any interpreting, CART or remote CART, or VRI services not rendered, including:

A. any scheduled assignment for which the provider has failed to appear;

B. for time scheduled, but not served due to the provider's tardiness;

C. for time between assignments, such as "down time" between classes, during which no services are actually rendered or necessary travel done; or

D. with regard to long-term assignments for consumers in training programs,

- for holidays or scheduled school breaks per published schedules of the institution during which classes are not in session,
- for any withdrawal from training, dropped courses, or cancelled classes for which proper prior notice of cancellation has been provided, in accordance with section 585-10.

#### 4. Parking Fees and Passes

VR will not pay for or reimburse the costs of parking fees or parking passes for service providers.

#### 5. Textbooks, Equipment, and Supplies

Without an approved exception granted in accordance with PPM 585-02, VR does not generally provide payment or reimbursement to the service provider or the consumer for textbooks, equipment, or supplies obtained for use by the provider.

[AUTHORITY: State agency policy interpretation of federal regulations, 361.1; 34 CFR 361.13(c)(iii) and (iv); 361.39; 361.48 and 361.48(d); 361.50(a) and (c)(2)]

### **585-03. Qualified Consumers**

1. Interpreting and other assisted communication services can be provided as required to meet the vocational rehabilitation needs of:

A. an applicant participating in an assessment for determining eligibility and priority for services, including an applicant participating in trial work experiences (TWE) or an extended evaluation (EE);

B. an eligible consumer receiving services under an approved individualized plan for employment (IPE), including eligible consumers receiving post-employment services; and

C. applicants or eligible consumers participating in mediation or an impartial due process hearing.

2. Only a VR Counselor or other qualified professional employed by VR can determine whether or not VR will pay for or reimburse interpreting and other assisted communication services.

[AUTHORITY: State agency policy interpretation of federal regulations, 34 CFR 361.13(c)(1)(i), (iii) and (iv), and 361.13(c)(2); 361.39; 361.48(a) and (b); and 36150(a)]

#### **585-04. Plan of Services Requirements**

Before interpreting or other assisted communication services are provided to any applicant receiving services under a trial work experiences (TWE) or extended evaluation (EE) plan, or to any eligible consumer receiving services under an individualized plan for employment (IPE), the services must be identified in the applicable plan as to be provided.

[AUTHORITY: Federal regulations, 34 CFR 361.42(e)(2) and (f)(3); 361.45(a)(2); 361.46(a)(2)]

#### **585-05. Prior VR Counselor Approval**

All services paid for or reimbursed by VR must be obtained with the prior knowledge and approval of the Vocational Rehabilitation (VR) Counselor or other qualified professional employed by VR. Costs incurred by a consumer or a consumer's family without the prior knowledge and approval of the VR Counselor will not be paid for or

reimbursed by VR, and are the sole responsibility of the individual or his or her family.

[AUTHORITY: State agency policy interpretation of federal regulations, 34 CFR 361.1; 361.13(c)(i), (iii) and (iv); 361.39; 361.45(a)(2); 361.46(a)(2); 361.50(a)]

## **585-06. Prior Written Encumbrance**

Prior to the provision of any assisted communication services, the VR Counselor must provide a properly completed Communication Request form and assure that the services have been properly authorized by written [encumbrance](#).

[AUTHORITY: Federal regulations, 34 CFR 361.50(e)]

## **585-07. Service Provider Standards**

### **1. Indiana Interpreter Certificate (IIC) Interpreters**

In order to interpret for any state government agency in Indiana, interpreters, including oral interpreting and VRI providers, must hold a valid Indiana Interpreter Certificate (IIC) issued by Deaf and Hard of Hearing Services (DHHS), unless the Director of DHHS has pre-approved use of an interpreter not holding a valid IIC as a last resort, when an IIC interpreter cannot be scheduled.

### **2. Family Members and Personal Friends as Paid Service Providers**

VR will not pay for or reimburse any [family member](#) or personal friend of the consumer for interpreting or other assisted communication services provided. A family member or personal friend may assist with communication needs in informal, non-crucial settings, or if the consumer's communication is uniquely individualized; however, in such situations, the family member or friend is merely facilitating communication, and VR will not pay for the services provided.

### 3. Use of VR Staff to Meet Assisted Communication Needs

A [Rehabilitation Counselor for the Deaf \(RCD\)](#) or other VR employee with appropriate skills and qualifications may provide assisted communication services if:

- A. the employee is available to provide the needed services; and
- B. the consumer, RCD or VR Counselor, and the employee providing the service are satisfied with the employee's skill level.

Unless these standards are met by the RCD or VRC, the counselor must obtain services from a qualified service provider.

[AUTHORITY: State agency policy interpretation of federal regulations, 34 CFR 361.1(b); 361.13(c)(1)(i), (iii) and (iv); 361.39; 361.51(c)(2)]

### **585-08. Additional Service Provider Requirements**

#### 1. Availability of the Service provider for the Full Time Scheduled

The provider selected for each interpreting, CART, or VRI assignment are assigned and must remain available to the consumer for the full time for which their services have been scheduled. Providers are not permitted to be scheduled for multiple assignments for overlapping periods of time, and cannot claim more than one payment for the same period of time.

#### 2. Attendance and Punctuality of Service Providers

The counselor should instruct the consumer to report any problems encountered with any service provider, including any failure to appear or tardiness. If a service provider fails to appear without prior notification more than once, or is tardy for scheduled services three or more times, VR may, at its discretion:



A. request that the provider no longer be assigned by the approved coordinating unit to serve VR consumers; and/or

B. cancel any long-term (e.g., semester or term) interpreting, CART, or VRI assignment of the provider without compensation, and secure a different provider for the remainder of the assignment.

[AUTHORITY: State agency policy interpretation of federal regulations, 34 CFR 361.13(c)(iii); 361.39; 361.50(a)]

## **585-09. Selection and Scheduling of Individual Service Providers**

### **1. Scheduling of Services and Assignment of Providers by the Coordinating Unit (CU)**

All interpreting and assisted communication services paid for by any Indiana state government agency are requested, scheduled, assigned, confirmed, and paid for through the approved [coordinating unit \(CU\)](#) contracted by DHHS. Individual providers are assigned and scheduled by the CU based on the needs and [informed choice](#) of the consumer and the provider's availability, certification status, and skill level, in accordance with the requirements of this chapter, and consumers are not permitted to choose the particular individual assigned.

### **2. Assignment of Non-IIC Interpreters by the CU**

If the CU hires both IIC and non-IIC interpreters, it must assign only IIC interpreters for services for which VR payment is requested, unless use of a non-IIC interpreter has been pre-approved by the Director of DHHS in accordance with section 585-07.1 of this chapter.

### **3. Assignments Requiring Multiple Interpreters or Other Providers**

Scheduling by the CU of more than one interpreter or other assisted communication provider for the same assignment requires prior approval by the VR Counselor. The CU must justify the assignment of multiple providers as necessary, based on length of the assignment or the nature

of the material communicated. Team assignments are the exception rather than the rule, and are permitted only for assignments of more than two hours' duration, classes requiring the interpreting of technical terminology, or in other, comparable circumstances.

[AUTHORITY: State agency policy interpretation of federal regulations, 34 CFR 361.13(c)(iii); 361.39; 361.50(a); 361.51 and 361.52]

## **585-10. Prior Notice of Cancellation**

1. Consumers are expected to notify the CU and the VR Counselor of the need to cancel appointments for which interpreting or other assisted communication services have been scheduled as far in advance of the appointment as possible. For all ongoing training programs especially, consumers are responsible for providing as much prior notice as possible for personal absences, withdrawals from training, and individual course or class cancellations.
2. If a consumer withdraws from a long-term (semester- or term-long) program, VR will pay the service provider for five consecutive calendar days of service if already scheduled, or until a new interpreting assignment can be found by the interpreter or agency, whichever is less.
3. VR can elect to discontinue the provision of interpreting or other assisted communication services after three instances of the consumer's failure to appear for appointments or failure to cancel with the required prior notice.

[AUTHORITY: State agency policy, based on generally accepted cancellation practices and interpretation of federal regulations, 34 CFR 361.13(a)(1)(i) and (iv); 361.39; 361.50(a)]

## **585-11. Payable Interpreting Services**

Amounts paid or reimbursed for interpreting services are established by Division of Disability and Rehabilitative Services (DDRS) contract, by agreement with DHHS and VR. The current applicable rates are shown

in PPM [Appendix E](#), and are paid in accordance with the following policies.

## 1. Time Interpreted, Two-Hour Minimum, and Time Deducted

DDRS will pay or reimburse the amount of interpreting time scheduled, rounded up to the next nearest quarter-hour (15-minute) increment, at the current applicable hourly rate shown in PPM [Appendix E](#). If the time scheduled is less than two hours, DDRS will pay a two-hour minimum for interpreting (but interpreting services only) for the first interpreting assignment scheduled for the State for each day per interpreter; however:

A. in order to claim the two-hour minimum, the interpreter must remain available to the DDRS consumer for the full two hours;

B. if the interpreter also qualifies for the payment of travel time, the two-hour minimum, if claimed, must be deducted from any claimed travel time, even if the deduction cancels out the allowable travel time entirely and reduces the total time payable to the two-hour minimum only; and

C. if the interpreter is reported tardy for a scheduled assignment or leaves an assignment early, the time missed will be deducted from the total time payable, including the two-hour minimum, to the next nearest quarter-hour (15-minute) increment.

## 2. Travel Time

DDRS will pay the travel time of interpreters on a point-to-point basis from the place of residence (or a previous assignment, whichever is less) to an interpreting assignment site, between assignment sites, and from the final paid assignment of the day to return to the place of residence for each point-to-point travel segment for which the distance traveled is more than 50 miles one way and the shortest travel time is one hour or more road time. Travel time claimed must be determined in accordance

with the approved mileage calculator, as set forth in the applicable contract (but note, also, paragraph 1.B., above).

### 3. Mileage

DDRS will pay the mileage of interpreters on a point-to-point basis, from the place of residence (or a previous assignment, whichever is less) to an interpreting assignment site, between assignment sites, and from the final paid assignment site of the day to return to the place of residence for each point-to-point travel segment for which the distance is more than 20 miles one way per the shortest distance. Mileage must be determined in accordance with the approved mileage calculator, as set forth in the applicable contract.

[AUTHORITY: State agency policy interpretation of federal regulations, 34 CFR 361.13(c)(iii) and (iv); 361.39; 361.50(c)]

## **585-12. Payable Communication Access Real-Time Translation (CART) and Remote CART Services**

Amounts paid or reimbursed for communication access real-time translation (CART) and remote CART services by DDRS are also established by DDRS contracts, by agreement with DHHS and VR. The current applicable rates are shown in PPM [Appendix E](#), and are paid in accordance with the following policies.

### 1. Service Provision Time and Half-Hour Minimum

DDRS will pay or reimburse the amount of CART or remote CART time scheduled, rounded up to the next nearest quarter-hour (15-minute) increment, at the current applicable hourly rate shown in PPM Appendix E. If the time scheduled is less than 30 minutes, DDRS will pay a half-hour minimum for each scheduled CART and remote CART assignment; however, to claim the half-hour minimum, the CART or remote CART provider must remain available to the DDRS consumer for the full 30 minutes.

## 2. Travel Time

DDRS will pay the travel time for CART providers on a point-to-point basis from the place of residence (or a previous assignment, whichever is less) to a CART assignment site, between assignment sites, and from the final paid assignment of the day to return to the place of residence for each point-to-point travel segment for which the distance traveled is more than 50 miles one way and the shortest travel time is one hour or more road time. Travel time claimed must be determined in accordance with the approved mileage calculator, as set forth in the applicable contract. DDRS will not pay travel time for remote CART providers, since they do not travel to the assignment.

## 3. Mileage

DDRS will pay the mileage of CART providers on a point-to-point basis, from the place of residence (or a previous assignment, whichever is less) to a CART assignment site, between assignment sites, and from the final paid assignment site of the day to return to the place of residence for each point-to-point travel segment for which the distance is more than 20 miles one way per the shortest distance. Mileage must be determined in accordance with the approved mileage calculator, as set forth in the applicable contract. DDRS will not pay mileage to remote CART providers, since they do not travel to the assignment.

[AUTHORITY: State agency policy interpretation of federal regulations, 34 CFR 361.13(c)(iii) and (iv); 361.39; 361.50(a) and (c)]

## **585-13. Payable Video Remote Interpreting (VRI) Services**

Amounts paid or reimbursed for video remote interpreting (VRI) services by DDRS are also established by DDRS contracts, by agreement with DHHS and VR. The current applicable rates are shown in PPM [Appendix E](#), and are paid in accordance with the following policies.

## 1. Service Provision Time and Half-Hour Minimum

DDRS will pay or reimburse the amount of VRI time scheduled at the approved rate per minute shown in PPM Appendix E; however, DDRS will pay a half-hour (30-minute) minimum for VRI services per each VRI assignment.

## 2. Travel Time and Mileage

DDRS will not pay for or reimburse travel time or mileage for VRI providers. VRI interpreters provide VRI services from their residences or employment sites without travel; hence, travel time and mileage do not apply.

[AUTHORITY: State agency policy interpretation of federal regulations, 34 CFR 361.13(c)(iii) and (iv); 361.39; 361.50(a) and (c)]

## **585-14. Disposition of CART Transcripts**

CART services transcripts purchased by VR become the property of the consumer immediately upon receipt. Whether the consumer needs hard-copy transcripts, electronically formatted transcripts, or both must be decided and communicated to the CART provider as far in advance of the service as possible, in order to permit the necessary preparations by the provider and authorization by the VR Counselor for any additional costs.

[AUTHORITY: State agency policy interpretation of federal regulations, 361.1; 34 CFR 361.13(c)(iii) and (iv); 361.39; 361.50(c)(2)]

## **585-15. Documentation Requirements**

Interpreting and other assisted communication services provided must be documented in the consumer's record of services by all applicable IPE, case note, and fiscal documentation required by VR policy and the [Indiana Rehabilitation Information System \(IRIS\)](#).

[AUTHORITY: Federal regulations, 34 CFR 361.12; 361.45(a)(2); 361.46(a)(2); 361.47]